



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 5

CHILD'S PLAN

35 Preparation of a child's plan

- (1) This section applies where a child requires a child's plan.
- (2) Subject to subsections (3) and (5), the responsible authority is to prepare such a plan as soon as is reasonably practicable.
- (3) Where the responsible authority and a relevant authority agree that it would be more appropriate for the relevant authority to prepare a child's plan, the relevant authority is to prepare the plan as soon as is reasonably practicable.
- (4) A relevant authority which declines to give its agreement as mentioned in subsection (3) must provide a statement of its reasons.
- (5) Subsection (2) does not apply where, by virtue of section 34(2), there are no targeted interventions which may be contained in a child's plan.
- (6) In preparing a child's plan, an authority—
 - (a) is, where the child's named person is not an employee of the authority, to consult the child's named person, and
 - (b) is so far as reasonably practicable to ascertain and have regard to the views of—
 - (i) the child,
 - (ii) the child's parents,
 - (iii) such persons, or the persons within such description, as the Scottish Ministers may by order specify, and
 - (iv) such other persons as the authority considers appropriate.
- (7) In having regard to the views of the child, the authority preparing the child's plan is to take account of the child's age and maturity.

Changes to legislation: There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 35. (See end of Document for details)

- (8) The Scottish Ministers may by order—
- (a) make further provision as to the preparation of child's plans,
 - (b) make provision requiring or permitting the authority which prepared a child's plan to provide a copy of it to a particular person or to the persons within a particular description.
- (9) An order under subsection (8)(b) may include provision to the effect that a copy of a child's plan is to be provided to a person, or to persons within a particular description, only—
- (a) in circumstances described in the order, or
 - (b) where the authority considers it appropriate.

Annotations:

Commencement Information

II S. 35 in force at 5.1.2016 for specified purposes by [S.S.I. 2015/406](#), art. 3(2)(3), **Sch. Pt. 1**

Changes to legislation:

There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 35.